

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

CIRIACO PUCILLO,

Plaintiff,

V.

Case No. 03-CV-12359 MLW

**METSO PAPER, INC. AND
VALMET CONVERTING, INC.**

Defendants.

JOINT STATUS REPORT

Plaintiff Ciriaco Pucillo and Defendant Valmet Converting, Inc., by their respective counsel, submit this joint report on the subjects of the prospects for settlement and the appropriateness of a dispositive motion, as provided in this Court's Scheduling Order dated December 5, 2005.

With respect to settlement, counsel for each party has conferred with the client. Plaintiff's counsel has also conferred with Edward Moriarty, Esquire. Attorney Moriarty represents the workers' compensation carrier, a lien holder on any settlement payment to or recovery by Plaintiff. Both the Plaintiff and Attorney Moriarty are amenable to a global mediation. However, the Plaintiff and the Defendant have significantly different views of the likelihood of prevailing. As such, it appears that the prospects for settlement are unlikely at this stage of the action.

In light of the above, Plaintiff's counsel respectfully requests that this Court grant the Plaintiff leave to re-new his Motion to Amend Complaint and Amended Complaint to more particularly allege Plaintiff's allegations and to add additional Defendants. Plaintiff's counsel originally filed a Motion to Amend Complaint and Amended Complaint on February 18, 2005.

The Motion was denied without prejudice to possible reconsideration if it is renewed after the completion of expert discovery. As expert discovery is complete, the Plaintiff respectfully requests permission to renew the Motion.

With respect to dispositive motions, defendant submits that there are proper bases for summary judgment and that the record with respect to these matters is fully developed.

Accordingly, defendant requests leave to file a motion for summary judgment.

Date: May 11, 2006

Respectfully submitted,

/s/ Maureen Counihan

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*Attorneys for Defendant Valmet Converting,
Inc.*

CERTIFICATE OF SERVICE

I, David L. Kelleher, hereby certify that on this 11th day of May 2006 I caused a true and accurate copy of the foregoing Joint Status Report to be served on counsel of record by the ECM System and by first-class mail, postage prepaid.

/s/ David L. Kelleher

David L. Kelleher